

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

FUNDING SUMMARY

FY 2002 APPROPRIATIONS

INCREASES AND DECREASES IN GENERAL FUND STANDING APPROPRIATIONS FOR FY 2002

- House File 755 makes a total reduction of \$46.6 million from budgeted FY 2002 standing appropriations. This is a reduction of \$46.3 million from the FY 2001 estimated net appropriations.
- Appropriates a total of \$2.3 million for FY 2002 from the General Fund to the Department of Education and the Department of Human Services.
- Appropriates \$150,000 from the General Fund to the Department of Education for the Americorps After-School Initiative. (Page 9, Line 30)
- Appropriates \$150,000 from the General Fund to the Department of Education for the Jobs for America's Graduates (JAG) Program. (Page 9, Line 33)
- Appropriates \$2.0 million from the General Fund to the Department of Human Services for General Administration. (Page 10, Line 4)
- Makes a total reduction of \$46.6 million from the budgeted FY 2002 standing appropriations. This is a reduction of \$46.3 million from the FY 2001 estimated net appropriations.
- Reduces the FY 2002 budgets for the General Assembly and legislative agencies by \$1.6 million. (Page 1, Line 21)
- Reduces the FY 2002 standing appropriation for Executive Council Performance of Duty by \$1.0 million. (Page 1, Line 27)
- Reduces the FY 2002 standing appropriation for State Appeal Board Claims by \$2.0 million. (Page 1, Line 33)
- Eliminates the FY 2002 standing appropriation to the Secretary of State for printing constitutional amendments and public measures. (Page 2, Line 6)
- Reduces the General Fund allocation of State school foundation aid that school districts provide to area education agencies by \$7.5 million in FY 2002. Requires the Department of Management to prorate the reduction based upon the total each school district would have received if no reduction were imposed. Allows area education agencies to use funds from the Media Services Program and the Educational Services Program to maintain the level required for the Special Education Support Services Program. (Page 2, Line 13)
- Reduces the FY 2002 General Fund standing appropriation to the Early Intervention Block Grant Program by \$10.0 million. (Page 2, Line 29) *The Governor vetoed this item.*
- Reduces the FY 2002 standing appropriation to the Department of Education for the School Improvement Technology Block Grant Program by \$20.0 million. (Page 3, Line 1)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

INCREASES AND DECREASES IN GENERAL FUND STANDING APPROPRIATIONS FOR FY 2002 (CONTINUED)

- Reduces the FY 2002 standing appropriation to the Department of Education for At-Risk Children Programs by \$1.0 million. Requires the reduction be prorated among the grant programs. (Page 3, Line 14)
- Appropriates \$7.6 million to the Department of Education for Nonpublic School Transportation. This reduces the standing appropriation by \$505,000. (Page 3, Line 24) *The Governor vetoed this item.*
- Reduces the FY 2002 standing appropriation to the Department of Education for Phase III of the Educational Excellence Program by \$2.0 million. (Page 3, Line 35) *The Governor vetoed this item.*
- Reduces the FY 2002 standing appropriation for Department of Transportation Public Transit Assistance by \$660,000. (Page 4, Line 7)
- Eliminates the FY 2002 standing appropriation of \$25,000 to the County of Tama for the Indian Settlement Officer. (Page 4, Line 15)
- Reduces the FY 2002 appropriation to the Department of Corrections for the payment of special court costs and attorney fees by \$66,000. (Page 4, Line 22)
- Eliminates the standing appropriation for the poultry show exhibition reimbursement. This was a standing limited appropriation of \$500. (Page 4, Line 29)
- Appropriates \$14.9 million from the General Fund in FY 2003 for county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment. This represents a 2.5% growth factor. (Page 1, Line 3)
- Makes a contingent appropriation of \$26.1 million from the General Fund for FY 2002 to the Board of Regents for allocation to the University of Iowa, Iowa State University, and the University of Northern Iowa for reimbursement for tuition replacement. This appropriation is in lieu of the General Fund appropriation made in SF 535 (FY 2002 Education Appropriations Act) and is contingent upon enactment of SF 532 (Tobacco Securitization Act). (Page 6, Line 24)

FY 2003 GENERAL FUND APPROPRIATION

CONTINGENT APPROPRIATIONS - DEBT SERVICE AND TOBACCO FUND APPROPRIATIONS TUITION REPLACEMENT

DETAIL: This appropriation reimburses the universities for principal and interest payments on Academic Revenue Bonds.

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

CONTINGENT APPROPRIATIONS - DEBT SERVICE AND TOBACCO FUND APPROPRIATIONS TUITION REPLACEMENT (CONTINUED)

- Makes a contingent appropriation of \$600,000 from the Tobacco Settlement Fund for FY 2002 to the Board of Regents for allocation to the University of Iowa, Iowa State University, and the University of Northern Iowa for reimbursement for tuition replacement. This appropriation is in lieu of the General Fund appropriation made in SF 535 (FY 2002 Education Appropriations Act), and is contingent upon enactment of SF 532 (Tobacco Securitization Act), and the receipt of bond proceeds. (Page 6, Line 33)

DETAIL: These two appropriations total \$26.7 million and are in lieu of the \$26.7 million appropriation from the General Fund made in SF 535 (FY 2002 Education Appropriations Act).

IOWA COMMUNICATIONS NETWORK DEBT SERVICE

- Makes a contingent appropriation of \$9.9 million from the Tobacco Fund to the Treasurer of State for debt service for the Iowa Communications Network (ICN). This appropriation is in lieu of the General Fund appropriation made in HF 719 (FY 2002 Oversight and Communications Appropriations Act), and is contingent upon enactment of SF 532 (Tobacco Securitization Act). (Page, 7, Line 17)
- Makes a contingent appropriation of \$1.5 million from the Tobacco Settlement Fund to the Treasurer of State for debt service for the ICN. This appropriation is in lieu of the General Fund appropriation made in HF 719 (FY 2002 Oversight and Communication Appropriations Act), and is contingent upon enactment of SF 532 (Tobacco Securitization Act), and the receipt of bond proceeds. (Page 7, Line 28)

DETAIL: These two appropriations total \$11.4 million and are in lieu of the \$11.4 million appropriation from the General Fund in HF 719 (FY 2002 Oversight and Communications Act).

PRISON INFRASTRUCTURE BONDS

- Requires that funds appropriated in this Division for the ICN debt service be deposited in a separate fund in the Treasurer's Office used solely for debt service for the ICN. (Page 8, Line 7)
- Makes a contingent appropriation of \$5.2 million from the Tax-exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund to the Treasurer of State for repayment of prison infrastructure bonds. The appropriation is contingent upon the enactment of SF 532 (Tobacco Securitization Act). (Page 8, Line 19)

LITIGATION FEES

- Makes a contingent appropriation of \$10.6 million from the Tax-exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund to the Treasurer of State for payment of litigation fees incurred pursuant to the Tobacco Master Settlement Agreement. The appropriation is contingent upon the enactment of SF 532 (Tobacco Securitization Act). (Page 8, Line 30)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

LITIGATION FEES (CONTINUED)

- Provides that the appropriations are effective only if SF 532 is enacted and the Tobacco Settlement Authority securitizes Tobacco Master Settlement Agreement payments. The effective date is the date of the receipt of the bond proceeds by the Tobacco Settlement Authority and the deposit into the designated accounts. (Page 9, Line 5)

TRANSFERS

- Requires that interest and earnings on money deposited in the Iowa Economic Emergency Fund and the Cash Reserve Fund be credited to the General Fund for FY 2002. (Page 10, Line 15)

DETAIL: It is estimated that \$31.0 million will be deposited in the General Fund. Under current law, the interest flows to the Rebuild Iowa Infrastructure Fund (RIIF).

- Transfers the unencumbered and unobligated balance in the Groundwater Protection Fund as of June 30, 2001, to the General Fund. (Page 10, Line 21)

DETAIL: The estimated balance to be transferred is \$7.0 million.

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Requires that the physical exam of applicants for law enforcement and fire fighter positions be conducted in accordance with the directives of the board of trustees of the fire and police retirement system rather than by the appointed three-member medical board. (Page 5, Line 7)
- Adds psychiatric services provided by a licensed physician to the medical services included within immunity from civil liability for voluntary services at eligible hospitals, clinics, or facilities approved by the Director of the Department of Public Health. (Page 10, Line 27)
- Reduces the annual dollar amount of job credits that may be allocated to the Accelerated Career Education (ACE) Program from \$6.0 million to \$3.0 million. The reduction applies to FY 2002 and subsequent fiscal years. Accelerated Career Education job credits are funded through a diversion from the General Fund of employee withholding tax payments. (Page 11, Line 35)

DETAIL: The change will increase State General Fund revenues by \$3.0 million, beginning in FY 2002.

- Provides that a school board of a school district that is contiguous to a reorganized area education agency (AEA) may petition the school district's current area education agency Board and the reorganized area education agency's Board to join the reorganized area education agency. With approval of both AEA boards, the reorganization will take effect on July 1 following approval by the State Board of Education. School districts may appeal decisions to the State Board. (Page 13, Line 4)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Provides that a school board of a school district that is within a reorganized area education agency and is contiguous to another area education agency before the reorganization, may petition the reorganized area education agency's board and the contiguous area education agency's board to join that area education agency. With approval of both AEA boards, the reorganization will take effect on July 1 following approval by the State Board of Education. School districts may appeal decisions to the State Board. (Page 13, Line 18)
- Requires the Department of Education to ascertain the maximum annual amount a school district shall be required to use for the purchase of textbooks for accredited nonpublic schools. The amount allocated will be in the proportion of the basic enrollment of the nonpublic school to the sum of the basic enrollments of all participating accredited nonpublic schools. Enrollments at the nonpublic schools will be certified to the Department by October 1. By October 15, the Department will notify each school board of the amount available for purchasing eligible textbooks. (Page 14, Line 23) *The Governor vetoed this item.*
- Requires that a municipality may certify to the county auditor the amount of Physical Plant and Equipment Levy (PPEL) revenue necessary to make bond payments. Indebtedness incurred to refund bonds issued before July 1, 2000, cannot be included in the amount certified. Requires the school district to pay the PPEL revenue to the municipality by November 1 and May 1 of the fiscal year following certification. Current law requires that the revenue be paid by November 1. (Page 15, Line 26)
- Requires that in subsequent years a municipality may only certify for PPEL revenue if the municipality had certified for PPEL revenue for the fiscal year beginning July 1, 2000. A municipality cannot certify an amount more than it certified for the fiscal year beginning July 1, 2000. If a municipality misses the certification deadline for a fiscal year, the municipality is not eligible to receive PPEL revenue from the school district. If a school district and municipality do not agree on the amount of PPEL revenue a municipality may certify, either party may, by July 31, request that the State Appeal Board review and make a final decision on the amount that may be certified. The burden is on the municipality to prove that it needs the revenue to pay bonds issued prior to July 1, 2000. The State Appeal Board must make a decision no later than the following October 1. (Page 16, Line 34)
- Amends SF 514 (Pollution Control Property Tax Exemption Bill) to specify property limitations. (Page 17, Line 27) *The Governor vetoed this item.*
- Allows certified hunter safety and ethics instructors to conduct hunter safety and ethics education courses on public school property. (Page 18, Line 4)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

INTENT LANGUAGE

CORRECTIVE CHANGES TO THE CODE OF IOWA

CORRECTIVE AMENDMENTS TO 2001 IOWA ACTS

- Specifies legislative intent that the Iowa Finance Authority provide \$121,000 from Authority funding for community-based housing for persons with mental illness who are homeless. (Page 11, Line 18) *The Governor vetoed this item.*
- Makes corrective changes to the Code of Iowa relating to scheduled violations. Senate File 499 (Scheduled Fines Act) reorganizes the statutory placement of scheduled fines in Chapter 805 and changes some of the fines. This Act makes corrective changes contingent upon the enactment of SF 499. (Page 18, Line 32 through Page 21, Line 31)
- Makes corrective changes to the Uniform Commercial Code and the Probate Code. (Page 27, Line 34 and Page 29, Line 27)
- Makes corrective amendments to the following 2001 Iowa Acts: (Page 21, Line 34 through Page 30, Line 15)
 - HF 643 (Department of Education Statutory Changes)
 - SF 185 (Factory Built Structures).
 - SF 458 (Department of Human Services and Juvenile Issues)
 - SF 350 (Transportation-related Statutory Changes)
 - SF 209 (Livestock-Johne's Disease)
 - SF 453 (Administrative Procedures of Certain County Officers)
 - HF 179 (Dogs Used by Police or Correctional Officers)
 - SF 479 (Wastewater Systems)
 - SF 500 (Operation and Regulation of Insurance Companies et al)
 - SF 276 (Licensure of Insurance Producers)
 - SF 473 (Securities Agent)
 - HF 259 (Secretary of State – Notarial Officers)
 - HF 654 (Contributions to Retirement Plans)
 - SF 63 (Child Endangerment)
 - HF 656 (Manufactured Homes)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

CODE EDITOR DIRECTION

- Directs the Code Editor to make corrective changes to the new article of the Uniform Commercial Code that takes effect on July 1, 2001. Requires the Code Editor to consult with the Iowa State Bar Association before making the changes. (Page 30, Line 16)

EFFECTIVE DATES

- Section 17 amends 2000 Session Law to modify the effective date of changes to Chapter 411.5(8), Code of Iowa, concerning the Medical Board of the Retirement System for police officers and firefighters. (Page 6, Line 3)
- Changes the effective date of HF 259, relating to the duties of the Office of Secretary of State, from July 1, 2001 to January 1, 2002. (Page 18, Line 17)
- Specifies that Sections relating to the certification of PPEL revenue are effective upon enactment. (Page 18, Line 22)

GOVERNOR'S VETOES

- The Governor vetoed the Section that reduced the FY 2002 standing appropriation for the Early Intervention Block Grant. The General Assembly eliminated the scheduled \$10.0 million increase in this standing appropriation, effectively freezing it at the FY 2001 level of \$20.0 million. The Governor's item veto restores the funding authorized under Section 256D.5, Code of Iowa, to \$30.0 million. The Governor stated that this initiative should be funded at the planned level in FY 2002. (Page 2, Line 29)
- The Governor vetoed the Section that reduced the standing appropriation for Nonpublic School Transportation by \$505,000. The Governor's veto restores the standing unlimited appropriation for this Program to approximately \$8.2 million in FY 2002. The Governor stated it would be a costly and time-consuming exercise for the Department of Education to prorate the amount of claims. (Page 3, Line 24)
- The Governor vetoed the Section that reduced the FY 2002 standing appropriation for Phase III of the Educational Excellence Program by \$2.0 million. The Governor's veto of this reduction restores the funding authorized under Section 294A.25, Code of Iowa, to \$80.9 million. The Governor stated that a review of this program may be of value; however, an arbitrary reduction at this time is not wise. (Page 3, Line 35)
- The Governor vetoed the Section specifying legislative intent that the Iowa Finance Authority provide \$121,000 for community-based housing for persons with mental illness who are homeless. The Governor stated that Moody's Rating Services has indicated that the use of reserve funds will adversely impact the Authority's bond rating. The Governor stated that a reduced bond rating will result in increased borrowing costs which would subsequently increase costs to first time home buyers. (Page 11, Line 18)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 755

GOVERNOR'S VETOES (CONTINUED)

- The Governor vetoed Sections 39 and 44 that require the Department of Education to ascertain the maximum annual amount a school district shall be required to use for the purchase of textbooks for accredited nonpublic schools. The Governor stated that these changes did not receive adequate discussion or analysis. (Page 14, Line 23 and Page 18, Line 6)
- The Governor vetoed Sections 42 and 48 that amend the Code of Iowa contingent upon passage of SF 514 (Property Tax Limitation Bill). Senate File 514 was not enacted. (Page 17, Line 27 and Page 18, Line 27)
- The Governor vetoed Section 58 that resolved a potential conflict between two bills passed by the General Assembly. However, one of the bills, HF 561 (All Terrain Vehicles), was not enacted. (Page 21, Line 21)
- This Act was approved by the General Assembly on May 8, 2001, and was item vetoed and signed by the Governor on May 22, 2001.

ENACTMENT DATE

House File 755

House File 755 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	33	4	Nwthstnd	Sec. 25.2(3)	State Appeal Board Claims - Standing Appropriation Reduction
2	6	5	Nwthstnd	Sec. 49A.9	Printing of Constitutional Amendments by the Secretary of State - Standing Appropriation Reduction
2	13	6	Nwthstnd	Chapter 257	Area Education Agencies - Reduction in State School Foundation Aid
2	29	7	Nwthstnd	Sec. 256D.5(1)	Early Intervention Block Grant Program - Standing Appropriation Reduction
3	1	8	Nwthstnd	Sec. 256D.5(2)	School Improvement Technology - Standing Appropriation Reduction
3	14	9	Nwthstnd	Sec. 279.51(1)	At-Risk Children Programs - Standing Appropriation Reduction
3	24	10	Nwthstnd	Sec. 285.2	Nonpublic School Transportation - Standing Appropriation Reduction
3	35	11	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Phase III - Standing Appropriation Reduction
4	7	12	Nwthstnd	Sec. 312.2(14)	Public Transportaton Assistance - Standing Appropriation Reduction
4	15	13	Nwthstnd	Sec. 331.660	Indian Settlement Officer - Elimination of Standing Appropriation
4	22	14	Nwthstnd	Sec. 815.1	State Cases - Elimination of Standing Appropriation
4	29	15	Amends	Sec. 196.8(2)	Poultry Show Exhibition Reimbursement - Elimination of Standing Appropriation
5	7	16	Amends	Sec. 400.8(1)	Law Enforcement Physical Exams
6	3	17	Amends	Chapter 1077, Section 111, 2000 Iowa Acts	Effective Date - Medical Board of Chapter 411 Retirement System
10	15	29	Nwthstnd	Sec. 8.55(4) and Sec. 8.56(1)	Interest & Earnings on Reserve Funds Deposited to the General Fund

Page #	Line #	Bill Section	Action	Code Section	Description
10	21	30	Nwthstnd	Sec. 455E.11(1)	Groundwater Protection Fund Balance Transferred to General Fund
10	27	31	Amends	Sec. 135.24(2)(c)	Psychiatric Services
10	35	32	Amends	Sec. 257.6(3), as amended by HF 643, 2001 Iowa Acts	Corrective Amendment to HF 643 (Education Statutory Changes Act)
11	10	33	Amends	Sec. 257.6(5) as amended by HF 643, 2001 Iowa Acts	Corrective Amendment to HF 643 (Education Statutory Changes Act)
11	35	35	Amends	Sec. 260G.4B(1)	ACE Program Job Credits
13	4	36	Amends	Sec. 273.22(5), as amended by HF 674, 2001 Iowa Acts	Area Education Agency Reorganization
13	18	37	Amends	Sec. 273.22, as amended by HF 674, 2001 Iowa Acts	Area Education Agency Reorganization
13	33	38	Amends	Sec. 299A.8, as amended by HF 643, 2001 Iowa Acts	Technical Correction to Dual Enrollment Language
14	23	39	Amends	Sec. 301.1	Nonpublic School Textbooks
15	26	40	Amends	Sec. 403.19(2)	PPEL Certification
16	34	41	Adds	Sec. 403.19	PPEL Certification
17	27	42	Amends	Sec. 427.1(19), as amended by SF 514, 2001 Iowa Acts	Pollution Control Property Tax Exemption
18	4	43	Adds	Sec. 483A.27	Hunter Safety and Ethics Education Courses
18	16	44	Repeals	Sec. 301.30	Textbooks for Nonpublic School Pupils
18	34	49	Amends	Sec. 321.17	Corrective Change - Vehicle Registration
19	9	50	Amends	Sec. 321.98	Corrective Change - Vehicle Operation Without Registration
19	23	51	Amends	Sec. 321.193	Corrective Change - Vehicle Operation
19	30	52	Amends	Sec. 321.216	Corrective Change - Unlawful Use of License
19	35	53	Amends	Sec. 321.216B	Use of Driver's License by Underage Person to Obtain Alcohol
20	13	54	Amends	Sec. 321.216C	Use of Driver's License By Underage Person to Obtain Cigarettes
20	27	55	Amends	Sec. 321L.3	Disabilities Parking Permit
20	35	56	Amends	Sec. 321L.7	Disabilities Parking Spaces and Signs
21	11	57	Amends	Sec. 452A.52	Corrective Change - Motor Vehicle Fuel Supply

Page #	Line #	Bill Section	Action	Code Section	Description
21	34	60	Amends	Sec. 103A.3(10-11, 20, & 25)	Corrective Amendments - Factory Built Structures
22	16	61	Amends	Sec. 103A.26	Corrective Amendment to SF 185 (Factory Built Structures Act)
23	16	62	Amends	Sec. 165A.5(1)	Corrective Amendment to SF 209 (Livestock-Johne's Disease Act)
23	25	63	Amends	Sec. 172E.1(3)	Corrective Amendment to SF 209 (Livestock - Johne's Disease Act)
23	33	64	Amends	Sec. 232.21(4) as amended by SF 458	Corrective Amendment to SF 458 (Human Services & Juvenile Issues Act)
24	20	65	Amends	Sec. 321.113(5)(b)	Corrective Amendment to SF 350 (Transportation-related Statutory Changes Act)
24	28	66	Amends	Sec. 322B.2(4)	Corrective Amendment to HF 656 (Manufactured Homes Act)
24	34	67	Amends	Sec. 331.303(1) as amended by SF 453	Corrective Amendment to SF 453 (Administrative Procedures of Certain County Officers Act)
25	11	68	Amends	Sec. 351.39	Corrective Amendment to HF 179 (Dogs Used By Police or Correctional Officers Act)
25	27	69	Amends	Sec. 466.8	Corrective Amendment to SF 479 (Wastewater Systems Act)
25	35	70	Amends	Sec. 466.8(4)	Corrective Amendment to SF 479 (Wastewater Systems Act)
26	6	71	Amends	Sec. 507B.4A(2)(c)	Corrective Amendment to SF 500 (Operation and Regulation of Insurance Companies Act)
26	17	72	Amends	Sec. 522B.14(11)	Corrective Amendment to SF 276 (Licensure of Insurance Producers Act)
26	27	73	Amends	Sec. 523A.401(5)(c)	Corrective Amendment to SF 473 (Securities Agent Act)
26	35	74	Amends	Sec. 523A.405(1)	Corrective Amendment to SF 473 (Securities Agent Act)
27	34	75	Amends	Sec. 554.9525(3 & 4)	Corrective Amendment to the Uniform Commercial Code
28	15	76	Amends	Sec. 558.39	Corrective Amendment to HF 259 (Secretary of State - Notarial Officers Act)

Page #	Line #	Bill Section	Action	Code Section	Description
28	32	77	Amends	Sec. 627.6(8)(f)	Corrective Amendment to HF 654 (Contributions to Retirement Plans Act)
29	27	78	Amends	Sec. 633.4213(5)	Corrective Amendment to the Probate Code
30	2	79	Amends	Sec. 702.11(2)(e)	Corrective Amendment to SF 63 (Child Endangerment Act)
30	7	80	Amends	Sec. 15, HF 656, 2001 Iowa Acts	Corrective Amendment to HF 656 (Manufactured Homes Act)

PG LN	House File 755	Explanation
1 1	DIVISION I	
1 2	MH/MR/DD — ALLOWED GROWTH	
1 3	Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND	General Fund appropriation for FY 2003 for county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment.
1 4	DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR	
1 5	ADJUSTMENT	
1 6	AND ALLOCATIONS. There is appropriated from the general fund	DETAIL: This represents a 2.5% growth factor.
1 7	of the state to the department of human services for the	
1 8	fiscal year beginning July 1, 2002, and ending June 30, 2003,	
1 9	the following amount, or so much thereof as is necessary, to	
1 10	be used for the purpose designated:	
1 11	For distribution to counties of the county mental health,	
1 12	mental retardation, and developmental disabilities allowed	
1 13	growth factor adjustment, as provided in this section in lieu	
1 14	of the provisions of section 331.438, subsection 2, and	
1 15	section 331.439, subsection 3, and chapter 426B:	
1 16 \$ 14,874,702	
1 17	The funding appropriated in this section is the allowed	
1 18	growth factor adjustment for fiscal year 2002–2003, and is	
1 19	allocated for distribution as provided by law.	
1 20	DIVISION II	
1 21	STANDING APPROPRIATIONS — REDUCTIONS	
1 22	Sec. 2. GENERAL ASSEMBLY. The budgets approved pursuant	Reduces the FY 2002 budgets for the General Assembly and the legislative agencies by \$1,550,324.
1 23	to section 2.12 for the expenses of the general assembly and	
1 24	legislative agencies for the fiscal year beginning July 1,	DETAIL: A total of \$26,655,672 is budgeted for FY 2002. This represents an estimated 5.9% reduction.
1 25	2001, and ending June 30, 2002, are reduced by the following	
1 26	amount:	
1 27 \$ 1,550,324	
1 28	Sec. 3. PERFORMANCE OF DUTY. The appropriation made from	Reduces the FY 2002 standing appropriation for Executive Council Performance of Duty by \$1,000,000.
1 29	the general fund of the state in section 7D.29, for the fiscal	
	year beginning July 1, 2001, and ending June 30, 2002, for	

1 30 performance of duty by the executive council, is reduced by
 1 31 the following amount:
 1 32 \$ 1,000,000

DETAIL: A total of \$2,500,000 million was originally budgeted for FY 2002. This reduction leaves an estimated appropriation of \$1,500,000.

1 33 Sec. 4. STATE APPEAL BOARD CLAIMS. Notwithstanding the
 1 34 standing appropriations in section 25.2, subsection 3, the
 1 35 amount appropriated from the general fund of the state under
 2 1 section 25.2, subsection 3, to the state appeal board to pay
 2 2 claims against the state for the fiscal year beginning July 1,
 2 3 2001, and ending June 30, 2002, is reduced by the following
 2 4 amount:
 2 5 \$ 2,000,000

CODE: Reduces the FY 2002 standing appropriation for State Appeal Board Claims by \$2,000,000.

DETAIL: A total of \$7,500,000 was originally budgeted. This reduction leaves an estimated appropriation of \$5,500,000.

2 6 Sec. 5. CONSTITUTIONAL AMENDMENTS AND PUBLIC MEASURES.
 2 7 Notwithstanding the standing appropriation in section 49A.9,
 2 8 the amount appropriated from the general fund of the state
 2 9 under section 49A.9, to the office of the secretary of state
 2 10 for the fiscal year beginning July 1, 2001, and ending June
 2 11 30, 2002, is reduced by the following amount:
 2 12 \$ 2,565

CODE: Reduces the FY 2002 standing appropriation to the Secretary of State for printing constitutional amendments and public measures by \$2,565.

DETAIL: This eliminates the entire appropriation for FY 2002. No funds were requested in FY 2002.

2 13 Sec. 6. AREA EDUCATION AGENCIES. Notwithstanding the
 2 14 provisions of chapter 257 that determine the funding for area
 2 15 education agencies, the state school foundation aid for these
 2 16 agencies and the portion of the combined district cost
 2 17 calculated for these agencies for the fiscal year beginning
 2 18 July 1, 2001, and ending June 30, 2002, are reduced by the
 2 19 department of management by \$7,500,000. The department shall
 2 20 calculate a reduction such that each area education agency
 2 21 shall receive a reduction proportionate to the amount that it
 2 22 would have received under section 257.35 if the reduction
 2 23 imposed pursuant to this section did not apply.
 2 24 Notwithstanding the provisions of section 257.37, an area
 2 25 education agency may use the funds determined to be available
 2 26 under section 257.35 in a manner which it believes is
 2 27 appropriate to best maintain the level of required area
 2 28 education agency special education services.

CODE: Reduces the FY 2002 General Fund allocation of school foundation aid received by school districts for funding area education agencies by \$7,500,000. Requires the Department of Management to prorate the reduction based on the total each school district would have received if no reduction were imposed. Allows area education agencies to use funds from the Media Services Program and the Educational Services Program to maintain the level required for the Special Education Support Services Program.

DETAIL: This is a reduction of \$7,500,000 from the estimated FY 2002 school foundation aid appropriation. Costs of the Media Services Program and the Educational Services Program are entirely funded through local property taxes.

2 29 [Sec. 7. EARLY INTERVENTION BLOCK GRANT. Notwithstanding
 2 30 the standing appropriation in section 256D.5, subsection 1,
 2 31 the amount appropriated from the general fund of the state
 2 32 under section 256D.5, subsection 1, to the department of
 2 33 education for the fiscal year beginning July 1, 2001, and
 2 34 ending June 30, 2002, is reduced by the following amount:
 2 35 \$ 10,000,000]

VETOED

CODE: Reduces the FY 2002 General Fund standing appropriation to the Early Intervention Block Grant Program by \$10,000,000.

DETAIL: The FY 2002 standing appropriation for the Early Intervention Block Grant Program was scheduled to increase from \$20,000,000 in FY 2001 to \$30,000,000 in FY 2002 and FY 2003. This change freezes the funding for FY 2002 at the FY 2001 level of \$20,000,000. This Program is scheduled to sunset at the end of FY 2003.

VETOED: The Governor vetoed this Section. The Governor's veto of this reduction restores the funding to \$30,000,000 for FY 2002. The Governor stated that this initiative should be funded at the original statutory level in FY 2002.

3 1 Sec. 8. SCHOOL IMPROVEMENT TECHNOLOGY. Notwithstanding
 3 2 the standing appropriation in section 256D.5, subsection 2,
 3 3 the amount appropriated from the general fund of the state
 3 4 under section 256D.5, subsection 2, to the department of
 3 5 education for the fiscal year beginning July 1, 2001, and
 3 6 ending June 30, 2002, is reduced by the following amount:
 3 7 \$ 20,000,000

3 8 In implementing the reduction in this section, the
 3 9 department of education shall compute under section 256D.6 the
 3 10 amount each school district, as defined in section 256D.6, and
 3 11 area education agency would have received but for the
 3 12 reduction in this section and shall reduce by two-thirds such
 3 13 amount.

CODE: Reduces the FY 2002 standing appropriation to the Department of Education for the School Improvement Technology Block Grant Program by \$20,000,000. Specifies how the Department of Education shall compute the reduction.

DETAIL: This Program was scheduled by statute to receive a standing appropriation of \$30,000,000 in FY 2002 and FY 2003. The minimum amount an individual school district will receive is \$3,333 in FY 2002 and \$10,000 in FY 2003. This Program will sunset at the end of FY 2003.

3 14 Sec. 9. AT-RISK CHILDREN PROGRAMS. Notwithstanding the
 3 15 standing appropriation in section 279.51, subsection 1, the
 3 16 amount appropriated from the general fund of the state under
 3 17 section 279.51, subsection 1, to the department of education
 3 18 for the fiscal year beginning July 1, 2001, and ending June
 3 19 30, 2002, is reduced by the following amount:
 3 20 \$ 1,000,000

3 21 The amount of the reduction in this section shall be

CODE: Reduces the FY 2002 standing appropriation to the Department of Education for At-Risk Children Programs by \$1,000,000. Requires the reduction be prorated among the grant programs.

DETAIL: The Program was scheduled by statute to receive a standing appropriation of \$12,560,000 in FY 2002. The standing appropriation will be restored to \$12,560,000 in FY 2003. The estimated reduction

3 22 prorated among the programs specified in section 279.51,
 3 23 subsection 1, paragraphs "a", "b", and "c".

will be prorated among the following:

- Funding to area education agencies will be reduced by a total of approximately \$20,000.
- Funding to the Child Development Coordinating Council Grants will be reduced by approximately \$690,000.

Funding to local school districts with elementary schools that demonstrate the greatest need for at-risk programs will be reduced by approximately \$290,000.

3 24 [Sec. 10. NONPUBLIC SCHOOL TRANSPORTATION. Notwithstanding
 3 25 the standing appropriation in section 285.2, the amount
 3 26 appropriated from the general fund of the state under section
 3 27 285.2 to the department of education for the fiscal year
 3 28 beginning July 1, 2001, and ending June 30, 2002, shall be the
 3 29 following amount:

3 30 \$ 7,645,000

3 31 If total approved claims for reimbursement for nonpublic
 3 32 school pupil transportation claims exceed the amount
 3 33 appropriated in this section, the department of education
 3 34 shall prorate the amount of each claim.]

VETOED

CODE: General Fund appropriation of \$7,645,000 to the Department of Education for Nonpublic School Transportation. Requires the Department to prorate the claims for reimbursement if approved claims exceed this appropriation.

DETAIL: This reduces the standing appropriation by \$505,000. The estimated FY 2001 standing appropriation was \$8,150,000.

VETOED: The Governor vetoed this Section, restoring the standing unlimited appropriation for this Program that requires the Department of Education to pay the approved claims of public school districts for transportation services for nonpublic school pupils. The Department estimates this standing appropriation to be \$8,150,000 in FY 2002. The Governor stated it would be costly and time-consuming for the Department of Education to prorate the claims.

3 35 [Sec. 11. EDUCATIONAL EXCELLENCE. Notwithstanding section
 4 1 294A.25, subsection 1, the amount appropriated from the
 4 2 general fund of the state under section 294A.25, subsection 1,
 4 3 to the department of education for phase III moneys for the
 4 4 fiscal year beginning July 1, 2001, and ending June 30, 2002,
 4 5 is reduced by the following amount:

4 6 \$ 2,000,000]

VETOED

CODE: Reduces the FY 2002 standing appropriation to the Department Education for Phase III of the Educational Excellence Program by \$2,000,000.

DETAIL: The estimated FY 2001 standing appropriation for Phase III is \$23,400,000. Phase III is funded with dollars remaining from the annual appropriation after Phases I and II and several special program appropriations have been fully funded. Funds are allocated to districts and area education agencies on a per-pupil basis, using the annual certified enrollment.

VETOED: The Governor vetoed this Section. The General Assembly had reduced the FY 2002 standing appropriation for Educational Excellence to \$78,891,336 . The Governor's veto restores the funding to \$80,891,336. The Governor stated that although a review of this Program may be of value, an arbitrary reduction at this time is not wise.

4 7 Sec. 12. PUBLIC TRANSIT ASSISTANCE APPROPRIATION.
 4 8 Notwithstanding section 312.2, subsection 14, the amount
 4 9 appropriated from the general fund of the state under section
 4 10 312.2, subsection 14, to the state department of
 4 11 transportation for public transit assistance under chapter
 4 12 324A for the fiscal year beginning July 1, 2001, and ending
 4 13 June 30, 2002, is reduced by the following amount:
 4 14 \$ 659,820

CODE: Reduces the FY 2002 standing appropriation to the Department of Transportation for Public Transit Assistance by \$659,820.

DETAIL: A total of \$11,000,000 was originally budgeted in FY 2002 for this purpose. This reduces the estimated appropriation to \$10,337,180.

4 15 Sec. 13. INDIAN SETTLEMENT OFFICER. Notwithstanding the
 4 16 standing appropriation in section 331.660, the amount
 4 17 appropriated from the general fund of the state under section
 4 18 331.660, to the county of Tama for the fiscal year beginning
 4 19 July 1, 2001, and ending June 30, 2002, is reduced by the
 4 20 following amount:
 4 21 \$ 25,000

CODE: Reduces the FY 2002 standing appropriation to the County of Tama for the Indian Settlement Officer by \$25,000.

DETAIL: This eliminates the appropriation for FY 2002.

4 22 Sec. 14. COURT COSTS FOR SPECIAL STATE CASES.
 4 23 Notwithstanding the standing appropriation in section 815.1,
 4 24 the amount appropriated from the general fund of the state
 4 25 under section 815.1, to pay special court costs and attorney
 4 26 fees for the fiscal year beginning July 1, 2001, and ending
 4 27 June 30, 2002, is reduced by the following amount:
 4 28 \$ 66,370

CODE: Reduces the FY 2002 appropriation to the Department of Corrections for the payment of special court costs and attorney fees by \$66,370.

DETAIL: This eliminates the appropriation for FY 2002.

4 29 Sec. 15. Section 196.8, subsection 2, Code 2001, is
 4 30 amended to read as follows:
 4 31 2. Notwithstanding subsection 1, eggs gathered for sale at

CODE: Eliminates the standing appropriation for poultry show exhibition reimbursements.

4 32 a poultry show from fowl exhibited at the show, which show has
4 33 received financial assistance from the state in prior fiscal
4 34 years, shall be exempt from the storage temperature and
4 35 consumer grade quality requirements contained in subsection 1.
5 1 ~~If eggs are offered for sale at such an exhibit, five hundred~~
5 2 ~~dollars is appropriated to the department to reimburse the~~
5 3 ~~sponsoring agency of the exhibit for the expenses associated~~
5 4 ~~with the exhibit.~~

DETAIL: This was a standing limited appropriation of \$500.

5 5 DIVISION III
5 6 LAW ENFORCEMENT PHYSICAL EXAMS

5 7 Sec. 16. Section 400.8, subsection 1, Code 2001, is
5 8 amended to read as follows:
5 9 1. The commission, when necessary under the rules,
5 10 including minimum and maximum age limits, which shall be
5 11 prescribed and published in advance by the commission and
5 12 posted in the city hall, shall hold examinations for the
5 13 purpose of determining the qualifications of applicants for
5 14 positions under civil service, other than promotions, which
5 15 examinations shall be practical in character and shall relate
5 16 to matters which will fairly test the mental and physical
5 17 ability of the applicant to discharge the duties of the
5 18 position to which the applicant seeks appointment. The
5 19 physical examination of applicants for appointment to the
5 20 positions of police officer, police matron, or fire fighter
5 21 shall be held in accordance with medical protocols established
5 22 by the board of trustees of the fire and police retirement
5 23 system established by section 411.5 and shall be conducted by
5 24 ~~the medical board as established in section 411.5 in~~
5 25 ~~accordance with the directives of the board of trustees.~~ The
5 26 board of trustees may change the medical protocols at any time
5 27 the board so determines. The physical examination of an
5 28 applicant for the position of police officer, police matron,
5 29 or fire fighter shall be conducted after a conditional offer
5 30 of employment has been made to the applicant. An applicant
5 31 shall not be discriminated against on the basis of height,

CODE: Requires that the physical exam of applicants for law enforcement and fire fighter positions be conducted in accordance with the directives of the board of trustees of the fire and police retirement system rather than by the appointed three-member medical board.

5 32 weight, sex, or race in determining physical or mental ability
5 33 of the applicant. Reasonable rules relating to strength,
5 34 agility, and general health of applicants shall be prescribed.
5 35 The costs of the physical examination required under this
6 1 subsection shall be paid from the trust and agency fund of the
6 2 city.

6 3 Sec. 17. 2000 Iowa Acts, chapter 1077, section 111, is
6 4 amended to read as follows:
6 5 SEC. 111. EFFECTIVE DATE. Section 87 of this Act amending
6 6 section 411.1, subsection 10, and section 94 of this Act,
6 7 amendment section 411.5, subsection 8, take effect July 1,
6 8 ~~2004~~ 2002.

CODE: Modifies the effective date of changes concerning the Medical Board of the Retirement System for police officers and firefighters to July 1, 2002.

6 9 Sec. 18. EFFECTIVE DATE. Section 17 of this division of
6 10 this Act, being deemed of immediate importance, takes effect
6 11 upon enactment.

Specifies that the previous Section is effective upon enactment.

6 12 DIVISION IV
6 13 DEBT SERVICE AND TOBACCO FUND APPROPRIATIONS
6 14 PAYMENTS IN LIEU OF TUITION

6 15 Sec. 19. PAYMENTS IN LIEU OF TUITION — GENERAL FUND. In
6 16 lieu of the appropriation made to the state board of regents
6 17 for tuition replacement in 2001 Iowa Acts, Senate File 535,
6 18 section 8, subsection 1, paragraph "b", if enacted, there is
6 19 appropriated from the general fund of the state to the state
6 20 board of regents for the fiscal year beginning July 1, 2001,
6 21 and ending June 30, 2002, the following amount, or so much
6 22 thereof as is necessary, to be used for the purpose
6 23 designated:
6 24 For allocation by the state board of regents to the state
6 25 university of Iowa, the Iowa state university of science and
6 26 technology, and the university of northern Iowa to reimburse
6 27 the institutions for deficiencies in their operating funds
6 28 resulting from the pledging of tuitions, student fees and
6 29 charges, and institutional income to finance the cost of

Makes a contingent appropriation of \$26,081,384 from the General Fund for FY 2002 to the Board of Regents for allocation to the University of Iowa, Iowa State University, and the University of Northern Iowa for reimbursement for tuition replacement. This appropriation is in lieu of the General Fund appropriation made in SF 535 (FY 2002 Education Appropriations Act) and is contingent upon enactment of SF 532 (Tobacco Securitization Act).

DETAIL: This appropriation reimburses the universities for principal and interest payments on Academic Revenue Bonds. Senate File 532 (Tobacco Securitization Act) was signed by the Governor.

6 30 providing academic and administrative buildings and facilities
 6 31 and utility services at the institutions:
 6 32 \$ 26,081,384

6 33 Sec. 20. PAYMENTS IN LIEU OF TUITION — TOBACCO SETTLEMENT

6 34 FUND. In addition to the appropriation made in this division
 6 35 of this Act from the general fund of the state to the state
 7 1 board of regents for purposes of tuition replacement, there is
 7 2 appropriated from the tax-exempt bond proceeds restricted
 7 3 capital funds account of the tobacco settlement trust fund
 7 4 created in section 12E.12, pursuant to 2001 Iowa Acts, Senate
 7 5 File 532, if enacted, to the state board of regents for the
 7 6 fiscal year beginning July 1, 2001, and ending June 30, 2002,
 7 7 the following amount, or so much thereof as is necessary, to
 7 8 be used for the purpose designated:

7 9 For allocation by the state board of regents to the state
 7 10 university of Iowa, the Iowa state university of science and
 7 11 technology, and the university of northern Iowa to finance or
 7 12 pay debt service to pay debt to finance the cost of providing
 7 13 academic and administrative buildings and facilities at the
 7 14 institutions:
 7 15 \$ 600,330

7 16 IOWA COMMUNICATIONS NETWORK

7 17 Sec. 21. IOWA COMMUNICATIONS NETWORK DEBT SERVICE —

7 18 GENERAL FUND. In lieu of the appropriation made to the
 7 19 treasurer of state for Iowa communications network debt
 7 20 service in 2001 Iowa Acts, House File 719, section 1, if
 7 21 enacted, there is appropriated from the general fund of the
 7 22 state to the treasurer of state for the fiscal year beginning
 7 23 July 1, 2001, and ending June 30, 2002, the following amount,
 7 24 or so much thereof as is necessary, to be used for the purpose
 7 25 designated:

7 26 For debt service for the Iowa communications network:
 7 27 \$ 9,939,165

Makes a contingent appropriation of \$600,330 from the Tobacco Settlement Fund for FY 2002 to the Board of Regents for allocation to the University of Iowa, Iowa State University, and the University of Northern Iowa for reimbursement for tuition replacement. This appropriation is in lieu of the General Fund appropriation made in SF 535 (FY 2002 Education Appropriations Act) and is contingent upon enactment of SF 532 (Tobacco Securitization Act) and the receipt of bond proceeds.

DETAIL: These two appropriations total \$26,681,714 and are in lieu of the General Fund appropriation for the like amount made in SF 535 (FY 2002 Education Appropriations Act). Senate File 532 (Tobacco Securitization Act) was signed by the Governor.

Makes a contingent appropriation of \$9,939,165 from the General Fund to the Treasurer of State for debt service for the Iowa Communications Network (ICN). This appropriation is in lieu of the General Fund appropriation made in HF 719 (FY 2002 Oversight and Communications Appropriations Act) and is contingent upon enactment of SF 532 (Tobacco Securitization Act).

DETAIL: The Governor signed SF 532 (Tobacco Securitization Act).

7 28 Sec. 22. IOWA COMMUNICATIONS NETWORK DEBT SERVICE —
 7 29 TOBACCO SETTLEMENT FUND. In addition to the appropriation
 7 30 made in this division of this Act from the general fund of the
 7 31 state to the treasurer of state for purposes of Iowa
 7 32 communications network debt service, there is appropriated
 7 33 from the tax-exempt bond proceeds restricted capital funds
 7 34 account of the tobacco settlement trust fund created in
 7 35 section 12E.12, pursuant to 2001 Iowa Acts, Senate File 532,
 8 1 if enacted, to the treasurer of state for the fiscal year
 8 2 beginning July 1, 2001, and ending June 30, 2002, the
 8 3 following amount, or so much thereof as is necessary, to be
 8 4 used for the purpose designated:
 8 5 For debt service for the Iowa communications network:
 8 6 \$ 1,465,835

Makes a contingent appropriation of \$1,465,835 from the Tobacco Settlement Fund to the Treasurer of State for debt service for the ICN. This appropriation is in lieu of the General Fund appropriation made in HF 719 (FY 2002 Oversight and Communication Appropriations Act) and is contingent upon enactment of SF 532 (Tobacco Securitization Act) and the receipt of bond proceeds.

DETAIL: The Governor signed SF 532 (Tobacco Securitization Act). These two appropriations total \$11,405,000 and are in lieu of the General Fund appropriation in the like amount made in HF 719 (FY 2002 Oversight and Communications Act).

8 7 Sec. 23. DEBT SERVICE FUND. Funds appropriated in this
 8 8 division of this Act for Iowa communications network debt
 8 9 service shall be deposited in a separate fund established in
 8 10 the office of the treasurer of state to be used solely for
 8 11 debt service for the Iowa communications network. The Iowa
 8 12 telecommunications and technology commission shall certify to
 8 13 the treasurer of state when a debt service payment is due, and
 8 14 upon receipt of the certification, the treasurer shall make
 8 15 the payment. The commission shall pay any additional amount
 8 16 due from funds deposited in the Iowa communications network
 8 17 fund.

Requires that funds appropriated in this Division for the ICN debt service be deposited in a separate fund in the Treasurer's Office used solely for debt service for the ICN.

8 18 PRISON DEBT SERVICE

8 19 Sec. 24. There is appropriated from the tax-exempt bond
 8 20 proceeds restricted capital funds account of the tobacco
 8 21 settlement trust fund created in section 12E.12, pursuant to
 8 22 2001 Iowa Acts, Senate File 532, if enacted, to the treasurer
 8 23 of state for the fiscal year beginning July 1, 2001, and
 8 24 ending June 30, 2002, the following amount, or so much thereof
 8 25 as is necessary, to be used for the purpose designated:
 8 26 For repayment of prison infrastructure bonds under section

Makes a contingent appropriation of \$5,182,272 from the Tax-exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund to the Treasurer of State for repayment of prison infrastructure bonds. The appropriation is contingent upon the enactment of SF 532 (Tobacco Securitization Act).

DETAIL: The Governor signed SF 532 (Tobacco Securitization Act).

8 27 16.177:

8 28 \$ 5,182,272

8 29 TOBACCO MASTER SETTLEMENT AGREEMENT LITIGATION

8 30 Sec. 25. There is appropriated from the tax-exempt bond
8 31 proceeds restricted capital funds account of the tobacco
8 32 settlement trust fund created in section 12E.12, pursuant to
8 33 2001 Iowa Acts, Senate File 532, if enacted, to the treasurer
8 34 of state for the fiscal year beginning July 1, 2001, and
8 35 ending June 30, 2002, the following amount, or so much thereof
9 1 as is necessary, to be used for the purpose designated:
9 2 For payment of litigation fees incurred pursuant to the
9 3 tobacco master settlement agreement:
9 4 \$ 10,617,000

Makes a contingent appropriation of \$10,617,000 from the Tax-exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund to the Treasurer of State for payment of litigation fees incurred pursuant to the Tobacco Master Settlement Agreement. The appropriation is contingent upon the enactment of SF 532 (Tobacco Securitization Act).

DETAIL: The Governor signed SF 532 (Tobacco Securitization Act).

9 5 Sec. 26. CONTINGENT EFFECTIVE DATE. This division of this
9 6 Act shall take effect only if 2001 Iowa Acts, Senate File 532
9 7 is enacted and only if the tobacco settlement authority
9 8 established in chapter 12E securitizes tobacco master
9 9 settlement agreement payments sold to the authority pursuant
9 10 to 2001 Iowa Acts, Senate File 532. If the contingencies of
9 11 this section are met, the effective date of this division of
9 12 this Act shall be the effective date of the receipt of the
9 13 bond proceeds by the tobacco settlement authority and the
9 14 deposit of the proceeds of the tax-exempt bonds and the
9 15 taxable bonds in the respective accounts of the tobacco
9 16 settlement trust fund pursuant to chapter 12E, and
9 17 specifically pursuant to section 12E.9. Payment of moneys
9 18 from the appropriations in this division of this Act shall be
9 19 made in a manner that does not adversely affect the tax-exempt
9 20 status of any outstanding bonds issued by the tobacco
9 21 settlement authority.

Provides that the appropriations in this Division are effective only if SF 532 is enacted and the Tobacco Settlement Authority securitizes Tobacco Master Settlement Agreement payments. The effective date is the date of the receipt of the bond proceeds by the Tobacco Settlement Authority and the deposit into the designated accounts.

DETAIL: The Governor signed SF 532 (Tobacco Securitization Act), but as of June 2001, the Tobacco Settlement Authority had not securitized the Tobacco Master Settlement Agreement payments.

9 22 DIVISION V

9 23 MISCELLANEOUS

9 24 Sec. 27. DEPARTMENT OF EDUCATION. There is appropriated

PG LN	House File 755	Explanation
9 25	from the general fund of the state to the department of	
9 26	education for the fiscal year beginning July 1, 2001, and	
9 27	ending June 30, 2002, the following amounts, or so much	
9 28	thereof as is necessary, to be used for the purposes	
9 29	designated:	
9 30	1. AMERICORPS AFTER-SCHOOL INITIATIVE	General Fund appropriation to the Department of Education for the
9 31	For purposes of the americorps after-school initiative:	Americorps After-School Initiative.
9 32 \$ 150,000	DETAIL: This is an increase of \$29,000 compared to the FY 2001
		estimated net appropriation.
9 33	2. JOBS FOR AMERICA'S GRADUATES	General Fund appropriation of \$150,000 to the Department of
9 34	For school districts to provide direct services to the most	Education for the Jobs for America's Graduates (JAG) Program.
9 35	at-risk senior high school students enrolled in school	
10 1	districts through direct intervention for a "jobs for	DETAIL: This is a decrease of \$183,000 compared to the FY 2001
10 2	America's graduates" specialist:	estimated net appropriation.
10 3 \$ 150,000	
10 4	Sec. 28. DEPARTMENT OF HUMAN SERVICES. There is	General Fund appropriation of \$2,000,000 to the Department of
10 5	appropriated from the general fund of the state to the	Human Services for General Administration.
10 6	department of human services for the fiscal year beginning	
10 7	July 1, 2001, and ending June 30, 2002, the following amount,	DETAIL: House File 732 (FY 2002 Human Services Appropriations
10 8	or so much thereof as is necessary, to be used for the purpose	Act), appropriates \$11,020,029 for General Administration for FY
10 9	designated:	2002. This results in a total decrease of \$2,345,013 million for
10 10	To supplement the appropriation made in 2001 Iowa Acts,	General Administration compared to the FY 2001 estimated net
10 11	House File 732, if enacted, for general administration,	appropriation.
10 12	including salaries, support, maintenance, and miscellaneous	
10 13	purposes:	
10 14 \$ 2,000,000	
10 15	Sec. 29. Notwithstanding section 8.55, subsection 4, and	CODE: Requires interest and earnings on money deposited in the
10 16	section 8.56, subsection 1, for the fiscal year beginning July	Iowa Economic Emergency Fund and the Cash Reserve Fund be
10 17	1, 2001, and ending June 30, 2002, the interest and earnings	credited to the General Fund for FY 2002.
10 18	on moneys deposited in the Iowa economic emergency fund and	
10 19	the cash reserve fund shall be credited to the general fund of	
10 20	the state.	

DETAIL: It is estimated that \$31,000,000 will be deposited in the General Fund. Under current law, the interest flows to the Rebuild Iowa Infrastructure Fund (RIIF).

10 21 Sec. 30. Notwithstanding any contrary provision in section
10 22 455E.11, subsection 1, Code 2001, any unencumbered or
10 23 unobligated balance in the groundwater protection fund and in
10 24 any of the accounts within the groundwater protection fund on
10 25 June 30, 2001, shall be transferred to the general fund of the
10 26 state.

CODE: Transfers the unencumbered and unobligated balance in the Groundwater Protection Fund as of June 30, 2001, to the General Fund.

DETAIL: The estimated balance to be transferred is \$7,000,000.

10 27 Sec. 31. Section 135.24, subsection 2, paragraph c, Code
10 28 2001, is amended to read as follows:
10 29 c. Identification of the medical services to be provided
10 30 under the program. The medical services provided ~~shall~~ may
10 31 include, but shall not be limited to, obstetrical and
10 32 gynecological medical services, and psychiatric services
10 33 provided by a physician licensed under chapter 148, 150, or
10 34 150A.

CODE: Adds psychiatric services provided by a licensed physician to the medical services included within immunity from civil liability for voluntary services at eligible hospitals, clinics, or facilities approved by the Director of the Department of Public Health.

10 35 Sec. 32. Section 257.6, subsection 3, unnumbered paragraph
11 1 1, as amended by 2001 Iowa Acts, House File 643, section 6, if
11 2 enacted, is amended to read as follows:
11 3 A school district shall determine its additional enrollment
11 4 because of special education, as defined in this section, ~~on~~
11 5 by November 1 of each year and shall certify its additional
11 6 enrollment because of special education to the department of
11 7 education by November 15 of each year, and the department
11 8 shall promptly forward the information to the department of
11 9 management.

CODE: Makes a corrective amendment to HF 643 (Education Statutory Changes Act).

11 10 Sec. 33. Section 257.6, subsection 5, unnumbered paragraph
11 11 1, as amended by 2001 Iowa Acts, House File 643, section 7, if
11 12 enacted, is amended to read as follows:
11 13 Weighted enrollment is the budget enrollment plus the
11 14 district's additional enrollment because of special education
11 15 calculated ~~on~~ by November 1 of the base year plus additional

CODE: Makes a corrective amendment to HF 643 (Education Statutory Changes Act).

11 16 pupils added due to the application of the supplementary
11 17 weighting.

11 18 [Sec. 34. MENTAL ILLNESS SPECIAL SERVICES. For the fiscal
11 19 year beginning July 1, 2001, and ending June 30, 2002, it is
11 20 the intent of the general assembly that the Iowa finance
11 21 authority shall provide \$121,220 from funding available to the
11 22 authority to be used for mental illness special services.

11 23 1. The Iowa finance authority shall use the funding to
11 24 continue the financing for existing community-based facilities
11 25 and the financing for the development of affordable community-
11 26 based housing facilities as funded pursuant to 2000 Iowa Acts,
11 27 chapter 1228, section 22. The department of human services
11 28 shall assure that clients are referred to the housing as it is
11 29 developed.

11 30 2. The purpose of the financing is to provide funds for
11 31 construction and start-up costs to develop community living
11 32 arrangements to provide for persons with mental illness who
11 33 are homeless. These funds may be used to match federal
11 34 Stewart B. McKinney Homeless Assistance Act grant funds.]

11 35 Sec. 35. Section 260G.4B, subsection 1, Code 2001, is
12 1 amended to read as follows:

12 2 1. The total amount of program job credits from all
12 3 employers which shall be allocated for all accelerated career
12 4 education programs in the state in any one fiscal year shall
12 5 not exceed the sum of three million dollars in the fiscal year
12 6 beginning July 1, 2000, ~~six~~ three million dollars in the
12 7 fiscal year beginning July 1, 2001, and six million dollars in
12 8 the fiscal year beginning July 1, 2002, and every fiscal year
12 9 thereafter. Any increase in program job credits above the
12 10 six-million-dollar limitation per fiscal year shall be
12 11 developed, based on recommendations in a study which shall be
12 12 conducted by the department of economic development of the
12 13 needs and performance of approved programs in the fiscal years
12 14 beginning July 1, 2000, and July 1, 2001. The study's
12 15 findings and recommendations shall be submitted to the general

VETOED

Specifies that it is the intent of the General Assembly that the Iowa Finance Authority provide \$121,000 from Authority funding for community-based housing for persons with mental illness who are homeless.

DETAIL: This is the current level of funding, except that for FY 2001, the funds are from the State General Fund through the Department of Human Services.

VETOED: The Governor vetoed this Section, stating that Moody's Rating Services has indicated that the use of reserve funds will adversely impact the Authority's bond rating. The Governor stated that a reduced bond rating will result in increased borrowing costs which would subsequently increase costs to first-time home buyers.

CODE: Reduces the annual dollar amount of job credits that may be allocated to the Accelerated Career Education (ACE) Program from \$6,000,000 to \$3,000,000. The reduction applies to FY 2002 and subsequent fiscal years. Accelerated Career Education job credits are funded through a diversion from the General Fund of employee withholding tax payments.

DETAIL: The change will increase State General Fund revenues by \$3,000,000 beginning in FY 2002.

12 16 assembly by the department by December 31, 2002. The study
12 17 shall include but not be limited to an examination of the
12 18 quality of the programs, the number of program participant
12 19 placements, the wages and benefits in program jobs, the level
12 20 of employer contributions, the size of participating
12 21 employers, and employer locations. A community college shall
12 22 file a copy of each agreement with the department of economic
12 23 development. The department shall maintain an annual record
12 24 of the proposed program job credits under each agreement for
12 25 each fiscal year. Upon receiving a copy of an agreement, the
12 26 department shall allocate any available amount of program job
12 27 credits to the community college according to the agreement
12 28 sufficient for the fiscal year and for the term of the
12 29 agreement. When the total available program job credits are
12 30 allocated for a fiscal year, the department shall notify all
12 31 community colleges that the maximum amount has been allocated
12 32 and that further program job credits will not be available for
12 33 the remainder of the fiscal year. Once program job credits
12 34 have been allocated to a community college, the full
12 35 allocation shall be received by the community college
13 1 throughout the fiscal year and for the term of the agreement
13 2 even if the statewide program job credit maximum amount is
13 3 subsequently allocated and used.

13 4 Sec. 36. Section 273.22, subsection 5, as amended by 2001
13 5 Iowa Acts, House File 674, section 4, if enacted, is amended
13 6 to read as follows:
13 7 5. The board of directors of a school district that is
13 8 contiguous to a newly reorganized area education agency may
13 9 petition the board of directors of ~~a contiguous~~ their current
13 10 area education agency and the newly reorganized area education
13 11 agency to join ~~that the newly reorganized~~ area education
13 12 agency. ~~If the contiguous both area education agency board~~
13 13 ~~approves~~ boards approve the petition, the reorganization shall
13 14 take effect on July 1 of the school year following approval of
13 15 the petition by the state board. A school district may appeal
13 16 to the state board the decision of an area education agency

CODE: Provides that a school board of a school district that is contiguous to a reorganized Area Education Agency (AEA) may petition the school district's current AEA board and the reorganized AEA's board to join the reorganized AEA. With approval of both AEA boards, the reorganization will take effect on July 1 following approval by the State Board of Education. School districts may appeal decisions to the State Board.

DETAIL: This Section is contingent on the passing of HF 674 (AEA Reorganization Act) which was signed by the Governor.

13 17 board to deny the school district's petition.

13 18 Sec. 37. Section 273.22, as amended by 2001 Iowa Acts,
13 19 House File 674, section 4, if enacted, is amended by adding
13 20 the following new subsection:
13 21 NEW SUBSECTION. 6. The board of directors of a school
13 22 district that is within a newly reorganized area education
13 23 agency and whose school district was contiguous to another
13 24 area education agency prior to the reorganization, may
13 25 petition the board of directors of the newly reorganized area
13 26 education agency and the contiguous area education agency to
13 27 join that area education agency. If both area education
13 28 agency boards approve the petition, the reorganization shall
13 29 take effect on July 1 of the school year following approval of
13 30 the petition by the state board. A school district may appeal
13 31 to the state board the decision of an area education agency
13 32 board to deny the school district's petition.

CODE: Provides that a school board of a school district that is within a reorganized AEA and is contiguous to another AEA before the reorganization, may petition the reorganized AEA's board and the contiguous AEA's board to join that AEA. With approval of both AEA boards, the reorganization will take effect on July 1 following approval by the State Board of Education. School districts may appeal decisions to the State Board.

DETAIL: This Section is contingent on the passing of HF 674 (AEA Reorganization Act) which was signed by the Governor.

13 33 Sec. 38. Section 299A.8, as amended by 2001 Iowa Acts,
13 34 House File 643, section 16, if enacted, is amended to read as
13 35 follows:

14 1 299A.8 DUAL ENROLLMENT.

14 2 If a parent, guardian, or legal custodian of a child who is
14 3 receiving competent private instruction under this chapter or
14 4 a child over compulsory age who is receiving private
14 5 instruction submits a request, the child shall also be
14 6 registered in a public school for dual enrollment purposes.
14 7 If the child is enrolled in a public school district for dual
14 8 enrollment purposes, the child shall be permitted to
14 9 participate in any academic activities in the district and
14 10 shall also be permitted to participate on the same basis as
14 11 public school children in any extracurricular activities
14 12 available to children in the child's grade or group, and the
14 13 parent, guardian, or legal custodian shall not be required to
14 14 pay the costs of any annual evaluation under this chapter. If
14 15 the child is enrolled for dual enrollment purposes, the child
14 16 shall be included in the public school's basic enrollment

CODE: Technical correction to statutory school dual enrollment language.

14 17 under section 257.6. A pupil who is participating only in
14 18 extracurricular activities shall be counted under section
14 19 257.6, subsection 1, paragraph "f". A pupil enrolled in
14 20 grades nine through twelve under this section shall be counted
14 21 in the same manner as a shared-time pupil under section 257.6,
14 22 subsection 1, paragraph "c".

14 23 [Sec. 39. Section 301.1, unnumbered paragraph 2, Code 2001,
14 24 is amended by striking the unnumbered paragraph and inserting
14 25 in lieu thereof the following:

VETOED

14 26 Textbooks adopted and purchased by a school district shall,
14 27 to the extent funds are appropriated by the general assembly,
14 28 be made available to pupils attending accredited nonpublic
14 29 schools. The department of education shall ascertain a
14 30 maximum annual amount a school district shall be required to
14 31 use for the purchase of textbooks for accredited nonpublic
14 32 schools. The amount shall be in the proportion that the basic
14 33 enrollment of an accredited nonpublic school bears to the sum
14 34 of the basic enrollments of all participating accredited
14 35 nonpublic schools in the state for the budget year. An
15 1 accredited nonpublic school shall certify its actual
15 2 enrollment to the department of education by October 1,
15 3 annually. By October 15, annually, the department of
15 4 education shall notify the board of directors of each school
15 5 district of the maximum amount of its allocation that shall be
15 6 made available for purchasing nonsectarian, nonreligious
15 7 textbooks for each of the accredited nonpublic schools located
15 8 within the school district in accordance with this paragraph.
15 9 For purposes of this paragraph, an accredited nonpublic
15 10 school's enrollment count shall include only students who are
15 11 residents of Iowa. The costs of providing textbooks to
15 12 accredited nonpublic schools as provided in this paragraph
15 13 shall not be included in the computation of district cost
15 14 under chapter 257, but shall be shown in the budget as an
15 15 expense from miscellaneous income. Textbook expenditures made
15 16 in accordance with this paragraph shall be kept on file in the
15 17 school district. As used in this paragraph, "textbooks" means

CODE: Requires the Department of Education to ascertain the maximum annual amount a school district will be required to use for the purchase of textbooks for accredited nonpublic schools. The amount allocated will be in the proportion of the basic enrollment of the nonpublic school to the sum of the basic enrollments of all participating accredited nonpublic schools. Enrollments at the nonpublic schools will be certified to the Department by October 1 annually. By October 15 each year, the Department will notify each school board of the amount available for purchasing eligible textbooks.

VETOED: The Governor vetoed this Section and Section 44 which required the Department of Education to ascertain the maximum annual amount a school district would be required to use for the purchase of textbooks for accredited nonpublic schools. The Governor stated that these changes did not receive adequate discussion or analysis.

15 18 books and loose-leaf or bound manuals, systems of reusable
15 19 instructional materials or combinations of books and
15 20 supplementary instructional materials which convey information
15 21 to the student or otherwise contribute to the learning
15 22 process, or electronic textbooks, including but not limited to
15 23 computer software, applications using computer-assisted
15 24 instruction, interactive videodisc, and other computer
15 25 courseware and magnetic media.】

15 26 Sec. 40. Section 403.19, subsection 2, Code 2001, is
15 27 amended to read as follows:
15 28 2. That portion of the taxes each year in excess of such
15 29 amount shall be allocated to and when collected be paid into a
15 30 special fund of the municipality to pay the principal of and
15 31 interest on loans, moneys advanced to, or indebtedness,
15 32 whether funded, refunded, assumed, or otherwise, including
15 33 bonds issued under the authority of section 403.9, subsection
15 34 1, incurred by the municipality to finance or refinance, in
15 35 whole or in part, an urban renewal project within the area,
16 1 and to provide assistance for low and moderate income family
16 2 housing as provided in section 403.22, except that taxes for
16 3 the regular and voter-approved physical plant and equipment
16 4 levy of a school district imposed pursuant to section 298.2
16 5 and taxes for the payment of bonds and interest of each taxing
16 6 district must be collected against all taxable property within
16 7 the taxing district without limitation by the provisions of
16 8 this subsection. However, all or a portion of the taxes for
16 9 the physical plant and equipment levy shall be paid by the
16 10 school district to the municipality if the ~~municipality~~
16 11 auditor certifies to the school district by July 1 the amount
16 12 of such levy that is necessary to pay the principal and
16 13 interest on ~~indebtedness incurred~~ bonds issued by the
16 14 municipality to finance an urban renewal project, which
16 15 ~~indebtedness was incurred~~ bonds were issued before July 1,
16 16 2000 2001. Indebtedness incurred to refund bonds issued prior
16 17 to July 1, 2001, shall not be included in the certification.
16 18 Such school district shall pay over the amount certified by

CODE: Requires that a municipality may certify to the county auditor the amount of Physical Plant and Equipment Levy (PPEL) revenue necessary to make bond payments. Indebtedness incurred to refund bonds issued before July 1, 2000, cannot be included in the amount certified. Requires the school district to pay the PPEL revenue to the municipality by November 1 and May 1 of the fiscal year following certification.

DETAIL: Current law requires that the PPEL revenue be paid by November 1.

16 19 November 1 and May 1 of the fiscal year following
16 20 certification to the school district. Unless and until the
16 21 total assessed valuation of the taxable property in an urban
16 22 renewal area exceeds the total assessed value of the taxable
16 23 property in such area as shown by the last equalized
16 24 assessment roll referred to in subsection 1, all of the taxes
16 25 levied and collected upon the taxable property in the urban
16 26 renewal area shall be paid into the funds for the respective
16 27 taxing districts as taxes by or for the taxing districts in
16 28 the same manner as all other property taxes. When such loans,
16 29 advances, indebtedness, and bonds, if any, and interest
16 30 thereon, have been paid, all moneys thereafter received from
16 31 taxes upon the taxable property in such urban renewal area
16 32 shall be paid into the funds for the respective taxing
16 33 districts in the same manner as taxes on all other property.

16 34 Sec. 41. Section 403.19, Code 2001, is amended by adding
16 35 the following new subsection:
17 1 NEW SUBSECTION. 7. For any fiscal year, a municipality
17 2 may certify to the county auditor for physical plant and
17 3 equipment revenue necessary for payment of principal and
17 4 interest on bonds issued prior to July 1, 2001, only if the
17 5 municipality certified for such revenue for the fiscal year
17 6 beginning July 1, 2000. A municipality shall not certify to
17 7 the county auditor for a school district more than the amount
17 8 the municipality certified for the fiscal year beginning July
17 9 1, 2000. If for any fiscal year a municipality fails to
17 10 certify to the county auditor for a school district by July 1
17 11 the amount of physical plant and equipment revenue necessary
17 12 for payment of principal and interest on such bonds, as
17 13 provided in subsection 2, the school district is not required
17 14 to pay over the revenue to the municipality. If a school
17 15 district and a municipality are unable to agree on the amount
17 16 of physical plant and equipment revenue certified by the
17 17 municipality for the fiscal year beginning July 1, 2001,
17 18 either party may request that the state appeal board review
17 19 and finally pass upon the amount that may be certified. Such

CODE: Requires that in subsequent years a municipality may only certify for PPEL revenue if the municipality had certified for PPEL revenue for the fiscal year beginning July 1, 2000. A municipality cannot certify an amount more than it certified for the fiscal year beginning July 1, 2000. If a municipality misses the certification deadline for a fiscal year, the municipality is not eligible to receive PPEL revenue from the school district. If a school district and municipality do not agree on the amount of PPEL revenue a municipality may certify, either party may, by July 31, request the State Appeal Board review and make a final decision on the amount that may be certified. The burden is on the municipality to prove it needs the revenue to pay bonds issued prior to July 1, 2000. The state appeal board must make its decision no later than the following October 1.

17 20 appeals must be presented in writing to the state appeal board
17 21 no later than July 31 following certification. The burden
17 22 shall be on the municipality to prove that the physical plant
17 23 and equipment levy revenue is necessary to pay principal and
17 24 interest on bonds issued prior to July 1, 2001. A final
17 25 decision must be issued by the state appeal board no later
17 26 than the following October 1.

17 27 [Sec. 42. Section 427.1, subsection 19, Code 2001, as
17 28 amended by 2001 Iowa Acts, Senate File 514, is amended by
17 29 adding the following new unnumbered paragraph:
17 30 NEW UNNUMBERED PARAGRAPH. For purposes of establishing the
17 31 valuation limitation under this subsection, if more than one
17 32 person has an ownership interest in the property, the multiple
17 33 owners shall be considered one owner so that the two hundred
17 34 thousand dollar limitation cannot be exceeded as a result of
17 35 multiple ownership. For purposes of applying the valuation
18 1 limitation to multiple properties owned by the same person,
18 2 the two hundred thousand dollar limitation shall apply per
18 3 owner on a statewide basis.]

VETOED

CODE: Amends SF 514 (Pollution Control Property Tax Exemption Act) and states that if there is more than one owner of the property, they will be limited to a single \$200,000 limitation. If a person owns more than one property, they will be limited to \$200,000 on a statewide basis.

VETOED: The Governor vetoed this Section and Section 48 and stated they were not necessary since SF 514 (Property Tax Limitation Act) was not enacted.

18 4 Sec. 43. Section 483A.27, Code 2001, is amended by adding
18 5 the following new subsection:
18 6 NEW SUBSECTION. 11. A hunter safety and ethics instructor
18 7 certified by the department shall be allowed to conduct an
18 8 approved hunter safety and ethics education course on public
18 9 school property with the approval of a majority of the board
18 10 of directors of the school district. The conduct of an
18 11 approved hunter safety and ethics education course is not a
18 12 violation of any public policy, rule, regulation, resolution,
18 13 or ordinance which prohibits the possession, display, or use
18 14 of a firearm, bow and arrow, or other hunting weapon on public
18 15 school property or other public property in this state.

CODE: Allows certified hunter safety and ethics instructors to conduct hunter safety and ethics education courses on public school property.

18 16 [Sec. 44. Section 301.30, Code 2001, is repealed.]

VETOED

CODE: Repeals the Section of the Code of Iowa concerning payment for textbooks for nonpublic school students.

VETOED: The Governor vetoed this Section and Section 39 which required the Department of Education to ascertain the maximum annual amount a school district would be required to use for the purchase of textbooks for accredited nonpublic schools. The Governor stated that these changes did not did not receive adequate discussion or analysis.

18 17 Sec. 45. 2001 Iowa Acts, House File 259, shall not take
18 18 effect July 1, 2001, but shall take effect January 1, 2002.

Changes the effective date of HF 259 (Secretary of State - Notarial Officers Act). The effective date is changed from July 1, 2001, to January 1, 2002.

18 19 Sec. 46. EFFECTIVE DATE. Section 45 of this division of
18 20 this Act, being deemed of immediate importance, takes effect
18 21 upon enactment.

Provides that Section 45 is effective upon enactment.

18 22 Sec. 47. EFFECTIVE AND APPLICABILITY DATES. Sections 40
18 23 and 41 of this division of this Act, being deemed of immediate
18 24 importance, take effect upon enactment and apply to property
18 25 taxes due and payable in fiscal years beginning on or after
18 26 July 1, 2002.

Specifies that Sections 40 and 41, relating to certification of PPEL revenue, are effective upon enactment and apply to property taxes due and payable beginning in FY 2003.

18 27 [Sec. 48. CONTINGENT EFFECTIVE DATE. Section 42 of this
18 28 Act shall take effect only if 2001 Iowa Acts, Senate File 514
18 29 is enacted without adoption of amendment H-1883 or, in the
18 30 alternative, Senate File 514 is enacted without adoption of H-
18 31 1914 to amendment H-1897 to Senate File 514.]

VETOED

Specifies that Section 42 is effective only if SF 514 (Property Tax Limitation Act) is enacted without a specified amendment.

DETAIL: Senate File 514 was not enacted.

VETOED: The Governor vetoed this Section and stated this Section was not necessary since SF 514 was not enacted.

18 32 DIVISION VI
18 33 SCHEDULED VIOLATIONS

18 34 Sec. 49. Section 321.17, Code 2001, is amended to read as
18 35 follows:
19 1 321.17 MISDEMEANOR TO VIOLATE REGISTRATION PROVISIONS.
19 2 It is a simple misdemeanor punishable as a scheduled
19 3 violation under section 805.8A, subsection 2, paragraph "b".
19 4 for any person to drive or move or for an owner knowingly to
19 5 permit to be driven or moved upon the highway a vehicle of a
19 6 type required to be registered under this chapter which is not
19 7 registered, or for which the appropriate fee has not been
19 8 paid, except as provided in section 321.109, subsection 3.

CODE: Makes corrective changes relating to scheduled violations.

19 9 Sec. 50. Section 321.98, Code 2001, is amended to read as
19 10 follows:
19 11 321.98 OPERATION WITHOUT REGISTRATION.
19 12 ~~No~~ A person shall not operate, ~~nor shall~~ and an owner shall
19 13 not knowingly permit to be operated upon any highway any
19 14 vehicle required to be registered and titled hereunder unless
19 15 there shall be attached thereto and displayed thereon when and
19 16 as required by this chapter a valid registration card and
19 17 registration plate or plates issued therefor for the current
19 18 registration year and unless a certificate of title has been
19 19 issued for such vehicle except as otherwise expressly
19 20 permitted in this chapter. Any violation of this section is a
19 21 simple misdemeanor punishable as a scheduled violation under
19 22 section 805.8A, subsection 2, paragraph "b".

CODE: Makes corrective changes relating to scheduled violations.

19 23 Sec. 51. Section 321.193, unnumbered paragraph 4, Code
19 24 2001, is amended to read as follows:
19 25 It is a simple misdemeanor punishable as a scheduled
19 26 violation under section 805.8A, subsection 4, paragraph "a".
19 27 for a person to operate a motor vehicle in any manner in
19 28 violation of the restrictions imposed on a restricted license
19 29 issued to that person under this section.

CODE: Makes corrective changes relating to scheduled violations.

PG LN	House File 755	Explanation
19 30	Sec. 52. Section 321.216, unnumbered paragraph 1, Code	CODE: Makes corrective changes relating to scheduled violations.
19 31	2001, is amended to read as follows:	
19 32	It is a simple misdemeanor <u>punishable as a scheduled</u>	
19 33	<u>violation under section 805.8A, subsection 4, paragraph "b",</u>	
19 34	for any person:	
19 35	Sec. 53. Section 321.216B, Code 2001, is amended to read	CODE: Makes corrective changes relating to scheduled violations.
20 1	as follows:	
20 2	321.216B USE OF DRIVER'S LICENSE OR NONOPERATOR'S	
20 3	IDENTIFICATION CARD BY UNDERAGE PERSON TO OBTAIN ALCOHOL.	
20 4	A person who is under the age of twenty-one, who alters or	
20 5	displays or has in the person's possession a fictitious or	
20 6	fraudulently altered driver's license or nonoperator's	
20 7	identification card and who uses the license to violate or	
20 8	attempt to violate section 123.47, commits a simple	
20 9	misdemeanor punishable by a fine of one hundred dollars <u>as a</u>	
20 10	<u>scheduled violation under section 805.8A, subsection 4,</u>	
20 11	<u>paragraph "c".</u> The court shall forward a copy of the	
20 12	conviction to the department.	
20 13	Sec. 54. Section 321.216C, Code 2001, is amended to read	CODE: Makes corrective changes relating to scheduled violations.
20 14	as follows:	
20 15	321.216C USE OF DRIVER'S LICENSE OR NONOPERATOR'S	
20 16	IDENTIFICATION CARD BY UNDERAGE PERSON TO OBTAIN	
20 17	CIGARETTES OR	
20 18	TOBACCO PRODUCTS.	
20 19	A person who is under the age of eighteen, who alters or	
20 20	displays or has in the person's possession a fictitious or	
20 21	fraudulently altered driver's license or nonoperator's	
20 22	identification card and who uses the license or card to	
20 23	violate or attempt to violate section 453A.2, subsection 2,	
20 24	commits a simple misdemeanor punishable by a fine of one	
20 25	hundred dollars <u>as a scheduled violation under section 805.8A,</u>	
20 26	<u>subsection 4, paragraph "c".</u> The court shall forward a copy	
	of the conviction to the department.	

20 27 Sec. 55. Section 321L.3, unnumbered paragraph 2, Code
20 28 2001, is amended to read as follows:

20 29 A person who fails to return the persons with disabilities
20 30 parking permit and subsequently misuses the permit by
20 31 illegally parking in a persons with disabilities parking space
20 32 is guilty of a simple misdemeanor ~~and subject to a fine of up~~
20 33 ~~to one hundred dollars~~ punishable as a scheduled violation
20 34 under section 805.8A, subsection 1, paragraph "c".

CODE: Makes corrective changes relating to scheduled violations.

20 35 Sec. 56. Section 321L.7, Code 2001, is amended to read as
21 1 follows:

21 2 321L.7 PENALTY FOR FAILING TO PROVIDE PERSONS WITH
21 3 DISABILITIES PARKING SPACES AND SIGNS.

21 4 Failure to provide proper persons with disabilities parking
21 5 spaces as provided in section 321L.5 or to properly display
21 6 persons with disabilities parking signs as provided in section
21 7 321L.6 is a simple misdemeanor ~~for which a fine of one hundred~~
21 8 ~~dollars shall be imposed for each violation~~ punishable as a
21 9 scheduled violation under section 805.8A, subsection 1,
21 10 paragraph "c".

CODE: Makes corrective changes relating to scheduled violations.

21 11 Sec. 57. Section 452A.52, unnumbered paragraph 2, Code
21 12 2001, is amended to read as follows:

21 13 Any person who is unable to display either of the permits
21 14 or the license provided in section 452A.53 and brings into the
21 15 state in the fuel supply tanks of a commercial motor vehicle
21 16 more than thirty gallons of motor fuel or special fuel in
21 17 violation of ~~the provisions of the preceding paragraph is~~
21 18 ~~guilty of subsection 1~~ commits a simple misdemeanor punishable
21 19 as a scheduled violation under section 805.8A, subsection 13,
21 20 paragraph "c".

CODE: Makes corrective changes relating to scheduled violations.

21 21 [Sec. 58. CONFLICTING LEGISLATION. If both 2001 Iowa Acts,
21 22 Senate File 499 and 2001 Iowa Acts, House File 561 are enacted
21 23 by the Seventy-ninth General Assembly and if House File 561
21 24 maintains the scheduled fine for a violation of section

Requires that if both SF 499 (Scheduled Fines Act) and HF 561
(Operation of All Terrain Vehicles Act) are enacted, the scheduled fine
of \$50.00 enacted by SF 499 shall prevail.

VETOED

PG LN	House File 755	Explanation
21 25	321.234A at one hundred dollars, the scheduled fine of fifty	DETAIL: Senate File 499 was signed by the Governor. House File 561 was vetoed.
21 26	dollars, as enacted in Senate File 499, shall prevail and the	
21 27	scheduled fine of one hundred dollars, as enacted in House	
21 28	File 561, shall be void.}]	
21 29	Sec. 59. CONTINGENT EFFECTIVENESS. This division of this	VETOED: The Governor vetoed this Section and stated it was not necessary since HF 561 was vetoed.
21 30	Act takes effect only if 2001 Iowa Acts, Senate File 499 is	
21 31	enacted.	
21 32	DIVISION VII	Specifies that this Division is effective only if SF 499 (Scheduled Fines Act) is enacted.
21 33	CORRECTIVE AMENDMENTS	
21 34	Sec. 60. Section 103A.3, subsections 10, 11, 20, and 25,	DETAIL: The Governor signed SF 499.
21 35	Code 2001, are amended to read as follows:	
22 1	10. "Ground anchoring system" means any device or	CODE: Makes a corrective amendment to the statute concerning factory built structures.
22 2	combination of devices used to securely anchor a <u>manufactured</u>	
22 3	<u>or</u> mobile home to the ground.	
22 4	11. "Ground support system" means any device or	
22 5	combination of devices placed beneath a <u>manufactured or</u> mobile	
22 6	home and used to provide support.	
22 7	20. "Permanent site" means any lot or parcel of land on	
22 8	which a <u>manufactured or</u> mobile home used as a dwelling or	
22 9	place of business, is located for ninety consecutive days	
22 10	except a construction site when the <u>manufactured or</u> mobile	
22 11	home is used by a commercial contractor as a construction	
22 12	office or storage room.	
22 13	25. "Tiedown system" means a ground support system and a	
22 14	ground anchoring system used in concert to provide anchoring	
22 15	and support for a <u>manufactured or</u> mobile home.	
22 16	Sec. 61. Section 103A.26, Code 2001, if enacted by 2001	CODE: Makes a corrective amendment to SF185 (Factory Built Structures Act).
22 17	Iowa Acts, Senate File 185, section 4, is amended to read as	
22 18	follows:	
22 19	103A.26 MANUFACTURED OR MOBILE HOME INSTALLERS	
22 20	CERTIFICATION — VIOLATION — CIVIL PENALTY.	

22 21 1. a. A person who installs a manufactured or mobile home
22 22 for another person shall be certified in accordance with rules
22 23 adopted by the commissioner pursuant to chapter 17A. The
22 24 commissioner may assess a fee sufficient to recover the costs
22 25 of administering the certification of manufactured or mobile
22 26 home installers. The commissioner may suspend or revoke the
22 27 certification of a manufactured or mobile home installer for
22 28 failure to perform installation of a manufactured or mobile
22 29 home, pursuant to certification standards as provided by rules
22 30 of the commissioner.

22 31 b. Notwithstanding section 103A.23, all fees collected by
22 32 the commissioner for the administration of the manufactured or
22 33 mobile home program shall be credited to the general fund of
22 34 the state and are appropriated to the commissioner for the
22 35 purpose of administering this certification program including
23 1 the employment of personnel for the enforcement and
23 2 administration of this program.

23 3 2. If a provision of this chapter or a rule adopted
23 4 pursuant to this chapter relating to the manufacture or
23 5 installation of a manufactured or mobile home is violated, the
23 6 commissioner may assess a civil penalty not to exceed one
23 7 thousand dollars for each offense. Each violation involving a
23 8 separate manufactured or mobile home, or a separate failure or
23 9 refusal to allow an act to be performed or to perform an act
23 10 as required by this chapter, or a rule adopted pursuant to
23 11 this chapter constitutes a separate offense. However, the
23 12 maximum amount of civil penalties which may be assessed for
23 13 any series of violations occurring within one year from the
23 14 date of the first violation shall not exceed one million
23 15 dollars.

23 16 Sec. 62. Section 165A.5, subsection 1, as enacted by 2001
23 17 Iowa Acts, Senate File 209, section 5, is amended to read as
23 18 follows:

23 19 1. ~~Except as provided in this subsection, a~~ A person
23 20 violating a provision of this chapter or any rule adopted
23 21 pursuant to this chapter shall be subject to a civil penalty

CODE: Makes a corrective amendment to SF 209 (Livestock-Johne's Disease Act).

23 22 of at least one hundred dollars but not more than one thousand
23 23 dollars. The proceeding to assess a civil penalty shall be
23 24 conducted as a contested case proceeding under chapter 17A.

23 25 Sec. 63. Section 172E.1, subsection 3, as enacted by 2001
23 26 Iowa Acts, Senate File 209, section 6, is amended to read as
23 27 follows:

23 28 3. "Livestock market" means any place where livestock are
23 29 assembled from two or more sources for public auction, private
23 30 sale, or sale on a commission basis, which is under state or
23 31 federal supervision, including a livestock auction market, if
23 32 such livestock are kept in the place for ten days or less.

CODE: Makes a corrective amendment to SF 209 (Livestock-Johne's Disease Act).

23 33 Sec. 64. Section 232.21, subsection 4, Code 2001, as
23 34 amended by 2001 Acts, Senate File 458, section 5, if enacted,
23 35 is amended to read as follows:

CODE: Makes a corrective amendment to SF 458 (Human Services and Juvenile Issues Act).

24 1 4. A child placed in a shelter care facility under this
24 2 section shall not be held for a period in excess of forty–
24 3 eight hours without an oral or written court order authorizing
24 4 the shelter care. When the action is authorized by an oral
24 5 court order, the court shall enter a written order before the
24 6 end of the next day confirming the oral order and indicating
24 7 the reasons for the order. A child placed in shelter care
24 8 pursuant to section 232.19, subsection 1, paragraph "c", shall
24 9 not be held in excess of seventy–two hours in any event. If
24 10 deemed appropriate by the court, an order authorizing shelter
24 11 care placement may include a determination that continuation
24 12 of the child in the child's home is contrary to the child's
24 13 welfare and that reasonable efforts as defined in section
24 14 232.57 have been made. The inclusion of such a determination
24 15 shall not under any circumstances be deemed a prerequisite for
24 16 entering an order pursuant to this section. However, the
24 17 inclusion of such a ~~finding~~ determination, supported by the
24 18 record, may assist the department in obtaining federal funding
24 19 for the child's placement.

24 20 Sec. 65. Section 321.113, subsection 5, paragraph b,
24 21 unnumbered paragraph 1, if enacted by 2001 Iowa Acts, Senate
24 22 File 350, section 4, is amended to read as follows:
24 23 If the title of a 1993 model year or older motor vehicle is
24 24 transferred to a new owner or if such a motor vehicle is
24 25 brought into the state on or after January 1, 2002, the
24 26 registration fee shall not be based on the weight and list
24 27 price of the motor vehicle, but shall be as follows:

CODE: Makes a corrective amendment to SF 350 (Transportation-related Statutory Changes Act).

24 28 Sec. 66. Section 322B.2, subsection 4, if enacted by 2001
24 29 Iowa Acts, House File 656, section 2, is amended to read as
24 30 follows:
24 31 4. "Manufactured or mobile home distributor" means a
24 32 person who sells or distributes manufactured or mobile homes
24 33 to manufactured or mobile home retailers.

CODE: Makes a corrective amendment to HF 656 (Manufactured Homes Act).

24 34 Sec. 67. Section 331.303, subsection 1, paragraph b, Code
24 35 2001, as amended by 2001 Iowa Acts, Senate File 453, section
25 1 1, is amended to read as follows:
25 2 b. A "warrant book" which records each warrant drawn in
25 3 the order of issuance by number, date, amount, and name of
25 4 drawee, and refers to the order in the minute book authorizing
25 5 its drawing. The board may authorize the auditor to issue
25 6 checks in lieu of warrants. If the issuance of checks is
25 7 authorized, the word "check" shall be substituted for the word
25 8 "warrant" in those sections of this chapter and chapters ~~6B, 11~~
25 9 ~~6B, 11~~, 35B, 336, 349, 350, 427B, and 468 in which the
25 10 issuance of a check is authorized in lieu of a warrant.

CODE: Makes a corrective amendment to SF 453 (Administrative Procedures of Certain County Officers Act).

25 11 Sec. 68. Section 351.39, Code 2001, as amended by 2001
25 12 Iowa Acts, House File 179, section 1, is amended to read as
25 13 follows:
25 14 351.39 CONFINEMENT.
25 15 If a local board of health receives information that an
25 16 animal has bitten a person or that a dog or animal is
25 17 suspected of having rabies, the board shall order the owner to

CODE: Makes a corrective amendment to HF 179 (Dogs Used By Police or Correctional Officers Act).

25 18 confine such animal in the manner it directs. If the owner
25 19 fails to confine such animal in the manner directed, the
25 20 animal shall be apprehended and impounded by such board, and
25 21 after ten days the board may humanely destroy the animal. If
25 22 such animal is returned to its owner, the owner shall pay the
25 23 cost of impoundment. This section shall not apply ~~to~~ if a
25 24 police service dog or a horse used by a law enforcement
25 25 agency, ~~that is~~ and acting in the performance of its duties
25 26 ~~which~~ has bitten a person.

25 27 Sec. 69. Section 466.8, unnumbered paragraph 1, as enacted
25 28 by 2001 Iowa Acts, Senate File 479, section 2, is amended to
25 29 read as follows:

25 30 The department of natural resources shall establish an on-
25 31 site wastewater systems assistance program for the purpose of
25 32 providing low-interest loans to homeowners residing outside
25 33 the boundaries of a city for improving on-site wastewater
25 34 disposal systems.

CODE: Makes a corrective amendment to SF 479 (Wastewater Systems Act).

25 35 Sec. 70. Section 466.8, subsection 4, as enacted by 2001
26 1 Iowa Acts, Senate File 479, section 2, is amended to read as
26 2 follows:
26 3 4. The department shall report to the general assembly
26 4 annually on the progress of the on-site wastewater systems
26 5 assistance program.

CODE: Makes a corrective amendment to SF 479 (Wastewater Systems Act).

26 6 Sec. 71. Section 507B.4A, subsection 2, paragraph c, as
26 7 enacted by 2001 Iowa Acts, Senate File 500, section 8, is
26 8 amended to read as follows:
26 9 c. The commissioner shall adopt rules establishing
26 10 processes for timely adjudication and payment of claims by
26 11 insurers for health care benefits. The rules shall be
26 12 consistent with the time frames and other procedural standards
26 13 for claims decisions by group health plans established by the
26 14 United States department of labor pursuant to 29 C.F.R. pt.
26 15 2560 in effect ~~at the time of passage of this Act on January~~
26 16 1, 2002.

CODE: Makes a corrective amendment to SF 500 (Operation and Regulation of Insurance Companies).

26 17 Sec. 72. Section 522B.14, subsection 11, as enacted by
26 18 2001 Iowa Acts, Senate File 276, section 28, is amended to
26 19 read as follows:

26 20 11. An insurer, the authorized representative of the
26 21 insurer, or an insurance producer that fails to report as
26 22 required under this section, or that is found to have reported
26 23 with actual malice by a court of competent jurisdiction, after
26 24 notice and hearing, may have its license or certificate of
26 25 authority suspended or revoked and may be ~~fin~~penalized as
26 26 provided in section 522B.17.

CODE: Makes a corrective amendment to SF 276 (Licensure of Insurance Producers).

26 27 Sec. 73. Section 523A.401, subsection 5, paragraph c, if
26 28 enacted by 2001 Iowa Acts, Senate File 473, section 28, is
26 29 amended to read as follows:

26 30 c. The policy shall have an increasing death benefit or
26 31 similar feature that provides some means for increasing the
26 32 funding as the cost of cemetery merchandise, funeral
26 33 merchandise, and ~~cemetery goods and~~ funeral services
26 34 increases.

CODE: Makes a corrective amendment to SF 473 (Securities Agent Act).

26 35 Sec. 74. Section 523A.405, subsection 1, if enacted by
27 1 2001 Iowa Acts, Senate File 473, section 32, is amended to
27 2 read as follows:

27 3 1. In lieu of trust requirements, a seller may file with
27 4 the commissioner a surety bond issued by a surety company
27 5 authorized to do business and doing business within this
27 6 state. The bond must be conditioned upon the seller's
27 7 faithful performance of purchase agreements subject to this
27 8 chapter. The surety's liability extends to each such
27 9 agreement executed while the bond is in force and until
27 10 performance or rescission of the purchase agreement. The
27 11 aggregate liability of the surety for any and all breaches of
27 12 the conditions of the bond shall not exceed the penal sum of
27 13 the bond. To the extent expressly agreed to in writing by the
27 14 surety, the surety's liability extends to each such agreement
27 15 subject to this chapter executed prior to the time the bond
27 16 was in force and until performance or rescission of the

CODE: Makes a corrective amendment to SF 473 (Securities Agent Act).

27 17 agreement. A purchaser aggrieved by a breach of a condition
27 18 of the bond covering the purchaser's agreement may maintain an
27 19 action against the bond. If, at the time of the breach, the
27 20 purchaser is aware of the purchaser's rights under the bond
27 21 and how to file a claim against the bond, the surety shall not
27 22 be liable for any breach of condition unless the surety
27 23 receives notice of a claim within sixty days following
27 24 discovery of the acts, omissions, or conditions constituting
27 25 the breach of condition, except as otherwise provided in this
27 26 section. A surety bond shall not be canceled by a surety
27 27 except upon a written notice of cancellation given by the
27 28 surety to the commissioner by restricted certified mail, and
27 29 not prior to the expiration of sixty days after receipt of the
27 30 notice by the commissioner. The surety's liability shall
27 31 extend to each purchase agreement subject to this chapter
27 32 executed prior to cancellation of the surety bond until the
27 33 seller has complied with ~~section~~ subsection 3.

27 34 Sec. 75. Section 554.9525, subsections 3 and 4, as enacted
27 35 by 2000 Iowa Acts, chapter 1149, section 96, are amended to
28 1 read as follows:
28 2 ~~3.~~ 2. NUMBER OF NAMES. The number of names required to be
28 3 indexed does not affect the amount of the fee in ~~subsections~~
28 4 subsection 1 and 2.
28 5 ~~4.~~ 3. RESPONSE TO INFORMATION REQUEST. A rule ~~or~~
28 6 ~~ordinance~~ adopted pursuant to subsection 1 must set the fee
28 7 for responding to a request for information from the filing
28 8 office, including for communicating whether there is on file
28 9 any financing statement naming a particular debtor. A fee for
28 10 responding to a request communicated in writing must be not
28 11 less than twice the amount of the fee for responding to a
28 12 request communicated by another medium authorized by the
28 13 office of secretary of state or the board of supervisors for
28 14 the filing office where its filing office is located.

CODE: Makes a corrective amendment to the Uniform Commercial Code.

28 15 Sec. 76. Section 558.39, unnumbered paragraph 1, Code
28 16 2001, as amended by 2001 Iowa Acts, House File 259, is amended
28 17 to read as follows:

28 18 The following forms of acknowledgment shall be sufficient
28 19 in the cases to which they are respectively applicable. In
28 20 each case where one of these forms is used, the name of the
28 21 state and county where the acknowledgment is taken shall
28 22 precede the body of the certificate, and the signature and
28 23 official title of the officer shall follow it as indicated in
28 24 the first form and shall constitute a part of the certificate,
28 25 and the stamp or seal of the officer shall be attached when
28 26 necessary under the provision of this chapter and as provided
28 27 in section ~~9E.6~~ 9E.6A. No certificate of acknowledgment shall
28 28 be held to be defective on account of the failure to show the
28 29 official title of the officer making the certificate if such
28 30 title appears either in the body of such certificate or in
28 31 connection therewith, or with the signature thereto.

CODE: Makes a corrective amendment to HF 259 (Secretary of State
- Notarial Officers Act).

28 32 Sec. 77. Section 627.6, subsection 8, paragraph f,
28 33 subparagraph (3), Code 2001, as amended by 2001 Iowa Acts,
28 34 House File 654, section 3, if enacted, is amended to read as
28 35 follows:

29 1 (3) For simplified employee pension plans, self-employed
29 2 pension plans (also known as Keogh plans or H.R. 10 plans),
29 3 individual retirement accounts established under section
29 4 408(a) of the Internal Revenue Code, individual retirement
29 5 annuities established under section 408(b) of the Internal
29 6 Revenue Code, savings incentive matched plans for employees,
29 7 salary reduction simplified employee pension plans (also known
29 8 as SARSEPs), and similar plans for retirement investments
29 9 authorized in the future under federal law, the exemption for
29 10 contributions shall not exceed, for each tax year of
29 11 contributions, the actual amount of the contribution deducted
29 12 ~~for individual retirement accounts and annuities established~~
29 13 ~~under section 408 of the Internal Revenue Code or the maximum~~
29 14 ~~amount which could be contributed and deducted in the tax year~~

CODE: Makes a corrective amendment to HF 654 (Contributions to
Retirement Plans Act).

29 15 ~~of the contribution~~ on the debtor's tax return or the maximum
29 16 amount which could be contributed to an individual retirement
29 17 account established under section 408(a) of the Internal
29 18 Revenue Code and deducted in the tax year of the contribution,
29 19 whichever is less. The exemption for accumulated earnings and
29 20 market increases in value of plans under this subparagraph
29 21 shall be limited to an amount determined by multiplying all
29 22 the accumulated earnings and market increases in value by a
29 23 fraction, the numerator of which is the total amount of exempt
29 24 contributions as determined by this subparagraph, and the
29 25 denominator of which is the total of exempt and nonexempt
29 26 contributions to the plan.

29 27 Sec. 78. Section 633.4213, subsection 5, Code 2001, is
29 28 amended to read as follows:

CODE: Makes a corrective amendment to the Probate Code.

29 29 5. A trustee shall prepare and send to the beneficiaries
29 30 an account of the trust property, liabilities, receipts, and
29 31 disbursements at least annually, at the termination of the
29 32 trust, and upon a change of a trustee. An accounting on
29 33 behalf of a former trustee shall be prepared by the former
29 34 trustee, or if the trustee's appointment is terminated by
29 35 reason of death or incapacity, by the former trustee's
30 1 personal representative or guardian or conservator.

30 2 Sec. 79. Section 702.11, subsection 2, paragraph e, as
30 3 enacted by 2001 Iowa Acts, Senate File 63, section 1, is
30 4 amended to read as follows:

CODE: Makes a corrective amendment to SF 63 (Child Endangerment Act).

30 5 e. Child endangerment resulting in bodily injury to a
30 6 child or a minor in violation of section 726.6, subsection 2A.

30 7 Sec. 80. 2001 Iowa Acts, House File 656, section 15, is
30 8 amended to read as follows:

CODE: Makes a corrective amendment to HF 656 (Manufactured Homes Act).

30 9 SEC. 15. Sections ~~403A.3~~, 103A.30, 103A.31, 321.1, 321.47,
30 10 321.123, 321.251, 321.284A, 321.457, 321E.28, 321E.31,
30 11 331.429, 331.653, 422.43, 422A.1, 425.17, 426A.11, 427.11,
30 12 435.22, 441.17, 445.1, 445.36A, 445.37, 445.38, 515C.1,
30 13 534.605, 562B.2, 562B.13, 631.1, 631.4, and 648.3, Code 2001,

30 14 are amended by inserting before the words "mobile home" the
30 15 words "manufactured or".

30 16 Sec. 81. DIRECTION TO CODE EDITOR. In codifying
30 17 provisions of 2000 Iowa Acts, chapter 1149, in Code Supplement
30 18 2001, the Code editor may change references from "this Act" to
30 19 an appropriate reference, including but not limited to "this
30 20 Article", wherever it appears in the Act, after consultation
30 21 with the Iowa state bar association. The Iowa state bar
30 22 association is requested to respond to the Code editor's
30 23 consultations by no later than July 31, 2001. Nothing in this
30 24 section limits the authority of the Code editor under section
30 25 2B.13.

Directs the Code Editor to make corrective changes to the new article of the Uniform Commercial Code that takes effect July 1, 2001. Requires the Code Editor to consult with the Iowa State Bar Association before making the changes.

30 26 Sec. 82. CONTINGENT EFFECTIVENESS. The sections of this
30 27 division of this Act amending Code section 103A.3 and Code
30 28 section 103A.26, if enacted, and Code section 322B.2, take
30 29 effect only if 2001 Iowa Acts, House File 656 is enacted.

Specifies that the Sections in this Division are effective only if HF 656 (Manufactured Homes Act) is enacted.

DETAIL: The Governor signed HF 656.

30 30 HF 755
30 31 mg/es/25